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Attorney Docket Nos.: 00537/181002 and 071/US/PCT/US

PATENT

#16
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5-20-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Francis X. Ignatious

APPLICATION NO.: **09/744,350**

FILED: **May 22, 2001**

FOR: **ENCAPSULATION OF WATER
SOLUBLE PEPTIDES**

EXAMINER: **BORIN, Michael L.**

ART UNIT: **1631**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Date of Deposit:

May 13, 2003

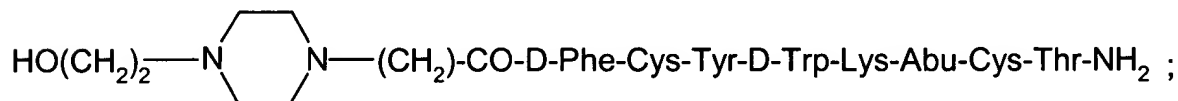
Alan F. Feeney

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the office action mailed November 14, 2002 (hereinafter "the instant action"), Applicant elects the invention delineated as Invention I which includes claims 17-29. Applicant elects, for the purposes of the initial examination, the following species for each of the categories listed on page 4 of the instant action from lines 13 to 18:

- I) for the peptide or protein species, Applicant elects the second peptide listed in claim 28:



- II) for the polymer species, Applicant elects polylactide-co-glycolide;
III) for the surfactant species; Applicant elects sodium oleate;
IV) for the polyester species, Applicant elects functionalized carboxylate; and
V) for the anionic counterion species, Applicant elects pamoate.

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← not in
elected
group.

Applicant : Ignatious
Serial No. : 09/744,350
Filing Date : May 22, 2001
Page No. : 2

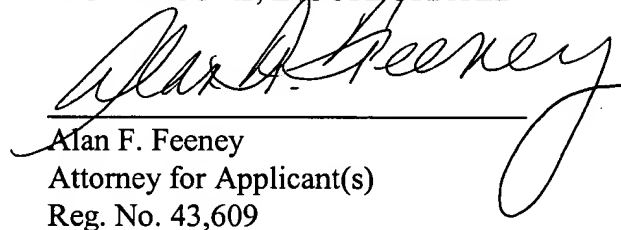
The election is made without traverse.

Should Examiner Borin deem that any further action be desirable with respect to these matters, he is requested to telephone the Applicant's undersigned representative.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0590.

Respectfully submitted,

BIOMEASURE, INCORPORATED


Alan F. Feeney
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May 13, 2003

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